

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>INTERNATIONAL ASSOCIATION OF HEAT :</b>	<b>:</b>	
<b>AND FROST INSULATORS AND ALLIED :</b>	<b>:</b>	
<b>WORKERS LOCAL UNION #50, ET AL., :</b>	<b>:</b>	
	<b>:</b>	
<b>PLAINTIFFS,</b>	<b>:</b>	<b>CIVIL ACTION 2:09-cv-00684</b>
	<b>:</b>	
<b>V.</b>	<b>:</b>	<b>JUDGE MARBLEY</b>
	<b>:</b>	
<b>STOTTS MECHANICAL INSULATION, INC., :</b>	<b>:</b>	<b>MAGISTRATE JUDGE ABEL</b>
	<b>:</b>	
<b>DEFENDANT.</b>	<b>:</b>	

**AGREED ORDER FINDING DEFENDANT STOTTS MECHANICAL INSULATION,  
INC. IN CONTEMPT OF COURT**

This cause came on to be heard upon the motion of Plaintiffs for an order directing Defendant Stotts Mechanical Insulation, Inc. to appear and show cause why it should not be found in contempt of Court, and sanctioned, by reason of its willful failure and refusal to comply with the Court's Order of March 3, 2011 (Doc. 20, PAGEID#:92), wherein Plaintiffs were awarded attorney fees and costs in the amount of \$11,082.50 and for an order imposing appropriate sanctions against Defendant Stotts Mechanical Insulation, Inc. for its willful failure and refusal to comply with the Court's Order of December 2, 2010 (Doc. 15, PAGEID#:73), wherein the Court ordered Defendant to "purge itself of contempt of court by complying with this Court's Order of July 22, 2010 [Doc. 11, PAGEID#:55] by timely paying all contributions and dues owing henceforth each and every month until the termination date of its collective bargaining agreement with Local #50, June 30, 2012."

Upon consideration of the motion (Doc. 23, PAGEID#:99) and affidavit of Dorsey Hager, Jr. (Doc. 23-1, PAGEID#:103), and by agreement of the parties, the Court finds that said Defendant has purged itself of contempt of court by remitting dues to Local No. 50 on regular

employees for the months of May 2012 and June 2012; by remitting contributions to the Local No. 50 Joint Apprenticeship and Training Committee on regular employees for the months of May 2012 and June 2012; by remitting contributions to the Annuity Fund on regular employees for the months of May 2012 and June 2012; by remitting dues to Local No. 50 on light commercial employees for the months of May 2012 and June 2012; and by remitting contributions to the Local No. 50 Joint Apprenticeship and Training Committee on light commercial employees for the months of May 2012 and June 2012. The Clerk of Court is DIRECTED to remove document 23 from the pending motions list, as it is MOOT.

The Court further finds that Defendant is in contempt of court by virtue of its failure to comply with the Court's Order of March 3, 2011 (Doc. 20, PAGEID#:92), wherein Plaintiffs were awarded attorney fees and costs in the amount of \$11,082.50. It is therefore ORDERED that Defendant Stotts Mechanical Insulation, Inc. shall purge itself of contempt of court by paying to the Plaintiff International Association of Heat and Frost Insulators and Allied Workers Local Union #50 ("Insulators Local #50") the amount of \$12,000.00 according to the following schedule: \$1,000.00 to be paid by Defendant and received by Insulators Local #50 by the 15<sup>th</sup> day of the month of August, 2012, with eleven (11) additional payments of \$1,000.00 due on the 15<sup>th</sup> day of each of the next eleven (11) consecutive months.

s/Mark R. Abel  
Mark R. Abel  
United States Magistrate Judge

APPROVED:

/s:/ Leonard S. Sigall-per authority 07/31/12  
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